

Notice of Allowability

Application No.

10/684,331

Examiner

Frederick C. Nicolas

Applicant(s)

GARRISON ET AL.

Art Unit

3754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 6/5/2006.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 6/30/2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the applicants' attorney Mr. Clayton L. Kuhnell on 6/30/2006.

The application has been amended as follows:

IN THE CLAIMS:

Claim 8, line 3, before "liquid", --the-- has been inserted.

Claim 9, line 19, before "liquid" first occurrence, --the-- has been inserted.

Claim 14, line 5, before "liquid", --the-- has been inserted.

Claim 15, line 12, "for" has been deleted; line 13, "is adapted to" has been deleted; line 13, "prevent" has been deleted and --prevents-- has been inserted; line 14, before "liquid", --the-- has been inserted.

Allowable Subject Matter

2. Claims 1-29 are allowed.

3. The following is an examiner's statement of reasons for allowance: the prior art fails to disclose or render obvious a spout assembly for dispensing liquid from a nozzle in combination with the other claimed limitations of claim 1:

"wherein the transition location provides for the change in cross-sectional dimensions between the first sidewall portion and the second sidewall portion, the first

sidewall portion includes a length at least partially defining a first portion of a substantially straight liquid flow path, wherein the first portion of the substantially straight liquid flow path extends through the transition location without the transition location changing the first portion of the substantially straight liquid flow path and the second sidewall portion includes a length at least partially defining a second portion of the substantially straight liquid flow path, wherein the second portion of the substantially second straight liquid flow path extends through the transition location wherein the transition location changes the second portion of the substantially straight liquid flow path”.

The prior art fails to disclose or render obvious a spout assembly for dispensing liquid from a nozzle in combination with the other claimed limitations of claim 9:

“herein the spout adapter further comprises a venture channel and an attitude device in fluid communication with the venturi channel, wherein the attitude device comprises a closing body adapted to close an opening of the venturi channel upon tilting of the spout assembly beyond a predetermined angle”.

The prior art fails to disclose or render obvious a spout assembly for dispensing liquid from a nozzle in combination with the other claimed limitations of claim 15:

“at least one internal sidewall, the internal sidewall including a first sidewall portion with a first cross-sectional dimension, a second sidewall portion with a second cross-sectional dimension that is smaller than the first cross-sectional dimension, and a transition location between the first and second sidewall portions, wherein the transition location provides an asymmetric change in cross-sectional dimensions between the first

sidewall portion and the second sidewall portion, wherein the internal sidewall substantially prevents pooling of the liquid being dispensed from the nozzle”.

The prior art fails to disclose or render obvious a spout assembly for dispensing liquid from a nozzle in combination with the other claimed limitations of claim 20:

“wherein the interior angle of each tangential line is successively smaller along the curved portion from the first sidewall portion to the second sidewall portion”.

The prior art fails to disclose or render obvious a spout assembly for dispensing liquid from a nozzle in combination with the other claimed limitations of claim 22:

“wherein the spout adapter further comprises a venturi channel and an attitude device in fluid communication with the venturi channel, wherein the attitude device comprises a closing body adapted to close an opening of the venturi channel upon tilting of the spout assembly beyond a predetermined angle”.

Further, the prior art fails to disclose or render obvious a spout assembly for dispensing liquid from a nozzle and movable in combination with the other claimed limitations of claim 28:

“a transition portion positioned intermediate the first end portion and the second end portion for reducing the cross-sectional area of the internal flow path therebetween, the internal liquid flow path in the transition portion being asymmetrically tapered to alter the cross-sectional area of the internal liquid flow path from a first inside diameter of the liquid flow path adjacent an inlet end of the transition portion to a second inside diameter of the liquid flow path adjacent an outlet end of the transition portion, a lower inside surface of the liquid flow path in the transition portion being flattened relative to

an opposed upper inside surface of the transition portion so that, when the spout is in a dispensing orientation, the lowest point in any cross-sectional portion of the flow path through the transition portion is not at a substantially higher elevation than a line connecting the lowest points of the flow path at the respective upstream portions of the first end portion and the transition portion".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick C. Nicolas whose telephone number is (571)-272-4931. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin P. Shaver, can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Application/Control Number: 10/684,331

Page 6

Art Unit: 3754

you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

FN

June 30, 2006

6/30/06

Frederick C. Nicolas
Primary Examiner
Art Unit 3754